

04-181

The Secretary of State presents his compliments to Their Excellencies and Messieurs and Mesdames the Chiefs of Mission and takes this opportunity to further explain and clarify the process whereby diplomatic bags are protected from normal luggage security screening. The information in this note is an addendum to the Department's Note No. 03-54, dated August 28, 2003.

As has been widely publicized in the United States, the Transportation Security Administration (TSA) of the Department of Homeland Security is charged with examining all luggage that will be loaded into the cargo compartments (belly) of passenger aircraft. TSA accomplishes this by preliminary x-ray screening, and then opening and examining any items that create an alarm during the x-raying.

Proper Diplomatic Bag Identification

TSA exempts diplomatic and consular bags from x-ray screening and opening. However, to be exempted, the diplomatic bag must be marked in accordance with Article 27 of the Vienna Convention on Diplomatic Relations.

Equally important, the diplomatic bag must be identified as such both to the proper representatives of the airline transporting it and to TSA officials.

Article 27 requires that the diplomatic bag bear visible external marks of its character. This means that the words “Diplomatic Bag” (or “Pouch”) must be clearly visible and displayed in English on the outside of the diplomatic bag. The diplomatic bag must also bear the seal of the government to which it belongs. This seal may be a lead seal that is attached to a tie that closes the bag, or a seal printed on the fabric of the diplomatic bag, or an ink seal impressed on the detachable tag

Handover of Diplomatic Bags to Airline Employees

When the diplomatic bag is delivered to the airline representative at the airport, the person delivering the diplomatic bag must ensure that the airline representative is fully aware that it is a diplomatic bag. Additionally, the person delivering the bag should be confident that the airline representative is prepared to walk the bag around TSA screening procedures. This requirement is true whether an employee of the embassy or consulate, an ad hoc courier, or a professional courier delivers the pouch. Therefore, the Department of State recommends that diplomatic bags not be entrusted to airline representatives for handling without the explicit clearance of a TSA official on the scene.

If the airline employee walks the diplomatic bag around TSA screening procedures, then the bag maintains its inviolability. However, if the diplomatic bag is improperly placed in the normal luggage-screening queue, it will be x-rayed and may be opened.

The Department hopes that a fuller explanation of the procedures by which diplomatic bags gain exemption from luggage screening will help missions to avoid any inadvertent opening of a diplomatic bag.

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Washington,

